## IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA

**Richmond Division** 

IN RE:	)	
	)	
NICOLE DONNETTE STEELEY	)	Case No. 19-34628-KRH
	)	Chapter 13
Debtor		-

### **AMENDED MOTION TO INCUR DEBT**

COMES NOW, the Debtor, by counsel, and as and for Debtor's Amended Motion to Incur Debt, states as follows:

- 1. The Debtor filed this case under Chapter 13 of the U.S. Bankruptcy Code on September 5, 2019.
- 2. The Debtor has applied for and Movement Mortgage, LLC has approved a loan to the Debtor in the amount of \$311,258.00 plus interest at 2.625% per annum to be repaid with 360 equal monthly payments of approximately \$1,250.17 for principal and interest (\$1,751.00 including escrow for taxes and insurance) for the purchase of a home located at 10406 Brynmore Drive, North Chesterfield, Virginia 23237. The closing costs are to be paid by the Debtor's spouse and mother-in-law. A copy of the Loan Estimate is attached hereto as Exhibit "A" and is incorporated herein by this reference.
  - 3. The purchase price of the Property is \$317,000.
  - 4. There will be no loan proceeds payable to the Debtor.

James E. Kane (VSB #30081) KANE & PAPA, P.C. 1313 East Cary Street Richmond, VA 23219 (804) 225-9500 (phone) (804) 225-9598 (fax) Counsel for Debtor Case 19-34628-KRH Doc 38 Filed 11/02/21 Entered 11/02/21 11:06:44 Desc Main Document Page 2 of 12

5. The purchase of the Property is in the best interest of the Debtor and will facilitate

the Debtor's ability to perform under her Chapter 13 Plan filed herein.

6. The Debtor's Chapter 13 Plan has been confirmed.

WHEREFORE, the Debtor requests that the Court enter an Order approving the aforesaid

loan on the terms stated herein and for such other relief as the Court may deem appropriate.

NICOLE DONNETTE STEELEY

By: /s/ James E. Kane

Counsel

James E. Kane (VSB #30081) KANE & PAPA, P.C. 1313 East Cary Street Richmond, VA 23219 (804) 225-9500 (phone) (804) 225-9598 (fax)

Counsel for Debtor

**CERTIFICATE OF SERVICE** 

I hereby certify that on November 2, 2021, I will electronically file the foregoing with the

Clerk of Court using the CM/ECF system, which will then send a notification of such filing

(NEF) to all counsel of record who have signed up to receive such notification and by first class

mail to the parties on the attached list.

/s/ James E. Kane

James E. Kane

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IN RE:	)	
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NICOLE DONNETTE STEELEY	)	Case No. 19-34628-KRH
	)	Chapter 13
Debtor		-

### **AMENDED NOTICE OF MOTION AND HEARING**

The above Debtor has filed an Amended Motion to Incur Debt in the above matter.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then, you or your attorney must:

• File with the court, at the address shown below, a written request for a hearing [or written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for a hearing (or response) to the court for filing, you must mail it early enough so the court will <u>receive</u> it on or before the date stated above, to:

Clerk of Court United States Bankruptcy Court 701 East Broad Street Richmond, VA 23219

You must also mail a copy to:

James E. Kane, Esquire Kane & Papa, P.C. 1313 East Cary Street Richmond, Virginia 23219

• Attend a hearing scheduled for November 3, 2021 at 12:00 p.m. at U.S. Bankruptcy Court, 701 East Broad Street, Room 5000, Richmond, VA 23219. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

#### **REMOTE HEARING INFORMATION:**

Due to the COVID-19 public health emergency, no in-person hearings are being held.

This hearing will take place remotely through Zoom on the date and time scheduled herein.

To appear at the hearing, you must send, by email, a completed request form (the "Zoom Request Form"), which is available on the Court's internet website at www.vaeb.courts.gov, on the page titled, "Temporary Emergency Provisions Regarding ZoomGov Remote Proceeding Access Information." Email your completed Zoom Request Form to the email address listed for the Judge assigned to the case. Following receipt of your Zoom Request Form, Court staff will respond to the email address from which the request was submitted with additional information on how to participate through Zoom.

\*\*\*The email address shall be used only to submit Zoom Request Forms. No other matters or requests will be considered by Court staff, and under no circumstances will any such matters or requests be brought to the Judge's attention. Failure to comply with these instructions may result in appropriate action, including but not limited to the imposition of sanctions.

\*\*\* PLEASE NOTE: You MUST submit the Zoom Request Form no later than two (2) business days prior to this hearing. Any documentary evidence the parties wish to present at the hearing must be filed with the Court in advance of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

NICOLE DONNETTE STEELEY Dated: November 2, 2021

> By: /s/ James E. Kane Counsel

James E. Kane (VSB #30081) KANE & PAPA, P.C. 1313 East Cary Street Richmond, VA 23219 (804) 225-9500 (phone) (804) 225-9598 (fax) Counsel for Debtor

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### **CERTIFICATE OF SERVICE**

I hereby certify that on November 2, 2021, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record who have signed up to receive such notification and by first class mail to the parties on the attached list.

/s/ James E. Kane James E. Kane

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NICOLE DONNETTE STEELEY and ROBBIE JOHNSON 6306 BERGEN DRIVE RICHMOND, VA 23225 ROPERTY NORTH CHESTERFIELD, VA 23237 ALE PRICE S317,000  Can this amount increase after closing?  Can this amount increase after closing?  Can this amount increase after closing?  NORTH Principal & Interest See Projected Payments below for your structed for Individual Payment  NORTH Prepayment Penalty  Does the loan have these features?  NO  Principal & Interest S1,250.17  Nortgage Insurance S274  Estimated Total Monthly Payment  S1,751  This estimate includes FProperty Taxes FESTimated Taxes, Insurance FESTIMATE	MOVEMENT MOR 5024 CALVIN HALL R	DAD INDIAN LAND	SC 29707		ove this Loan Estimote to com	pare with your Closing Disclos
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Projected Payments  Principal & Interest  S1,250.17  Mortgage Insurance Estimated Escrow Amount can increase over time  * 287  * 287  * 287  * * 287  * * * * * * * * * * * * * * * * * * *	Prepayment Pen	alty			he loan have these features?	
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## Assessments  Amount can increase over time  \$294    Amount can increase over time  \$294   Amount can increase over time    Amount can increase over time    Costs at Closing   Costs at Closing Costs					\$1,751	
Estimated Closing Costs \$22,330 Includes \$16,503 in Loan Costs + \$5,827 in Other Costs - \$0 in Lender Credits. See page 2 for details.	& Assessments			⊠ Proper ⊠ Home ⋈ Other: See Section	ty Taxes owner's Insurance ASSOCIATION DUES on G on page 2 for escrowed prope	YES YES NO
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Estimated Cash to Close \$8,272 Includes Closing Costs. See Calculating Cash to Close on page 2 for details.	Estimated Closing	Costs	\$22,330			
	Estimated Cash to	o Close	\$8,272	Includes Clos	ing Costs. See Calculating Cash to	o Clase on page 2 for details.

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### **Closing Cost Details**

Lorin Gosfes		Ottiner Costs	
A. Origination Charges	\$8,198	E. Taxes and Other Government Fees	\$2,221
2.25% of Loan Amount (Points)	\$7,003	Recording Fees and Other Taxes	\$127
UNDERWRITING FEE	\$1,195	Transfer Taxes	\$2,094
		F. Prepaids	\$1,143
		Homeowner's Insurance Premium (12 months)	\$807
		Mortgage Insurance Premium (months) Prepaid Interest (\$22.38 per day for 15 days @ 2.625%)	\$336
		Property Taxes ( months)	
		G. Initial Escrow Payment at Closing	\$1,676
B. Services You Cannot Shop For	\$6,360	Homeowner's Insurance \$67.25 per month for 2 mo	-
APPRAISAL CREDIT REPORT FEE FHA UPFRONT MIP FINAL INSPECTION FEE FLOOD CERTIFICATION FEE IRS TRANSCRIPT FEE	\$575 \$160 \$5,353 \$175 \$7 \$40	Property Taxes \$220.10 per month for 7 mo	\$1,541
VOE FEE	\$50	H. Other	\$787
		TITLE - OWNERS TITLE INSURANCE (OPTIONAL)	\$787
C. Services You Can Shop For	\$1,945	L TOTAL OTHER COSTS (E + F + G + H)	\$5,827
TITLE - ABSTRACT TITLE - CLOSING PROTECTION LETTER (L)	\$325 \$35	J. TOTAL CUDSING COSTS	\$22,330
TITLE - LENDERS TITLE INSURANCE	\$940	D+1	\$22,330
TITLE – SETTLEMENT SERVICE TITLE – WIRE TRANSFER	\$\$9\$ \$\$0	Lender Credits	322,33U
		Collectivity Cook to Choos	
		Total Closing Costs (J)	\$22,330
		Closing Costs Financed (Paid from your Loan Amount)	\$0
		Down Payment/Funds from Borrower	\$5,742
		Deposit	-\$3,000
		Funds for Borrower	\$0
		Seller Credits	-\$16,800
D. TOTAL LOAN COSTS (A + B + C)	\$16,503	Adjustments and Other Credits	\$0
and the same of the same of		Estimated Cash to Close	\$8,272

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### Additional Information About This Loan

LENDER MOVEMENT MORTGAGE, LLC **MORTGAGE BROKER** NMLS / \_\_\_ LICENSE ID NIMILS / \_\_\_ LICENSE ID 39179 LOAN OFFICER NICK ROHN LOAN OFFICER NMLS / \_\_\_ UCENSE ID NMLS / \_\_ LICENSE ID 450883 EMAIL EMAR BOHNTEAM@MOVEMENT.COM PHONE PHONE (540) 907-5627

Compensions	Use these measures to compare this loan with other loans.		
In S Years	\$104,118 \$36,458	Total you will have paid in principal, interest, mortgage insurance, and loan costs.  Principal you will have paid off.	
Annual Percentage Rate (APR)	3.864%	Your costs over the loan term expressed as a rate. This is not your interest rate.	
Total Interest Percentage (TIP)	44.702%	The total amount of interest that you will pay over the loan term as a percentage of your loan amount.	

### Other Considerations

We may order an appraisal to determine the property's value and charge you for this **Appraisal** 

appraisal. We will promptly give you a copy of any appraisal, even if your loan does not close.

You can pay for an additional appraisal for your own use at your own cost.

If you sell or transfer this property to another person, we Assumption

K will allow, under certain conditions, this person to assume this loan on the original terms.

will not allow assumption of this loan on the original terms.

Homeowner's This loan requires homeowner's insurance on the property, which you may obtain from a

company of your choice that we find acceptable. Insurance

Late Payment If your payment is more than 15 days late, we will charge a late fee of 4% of the overdue monthly principal

and interest payment.

Refinance Refinancing this loan will depend on your future financial situation, the property value, and

market conditions. You may not be able to refinance this loan.

We intend Servicing

to service your loan. If so, you will make your payments to us.

It to transfer servicing of your loan.

### Confirm Deceipt

By signing, you are only confirming that you have received this form. You do not have to accept this loan because you have signed or received this form.

NICOLE DONNETTE STELLEY 10/08/2021

NICOLE DONNETTE STEELEY Date ROBBIE JOHNSON Date Alfredo Sunga c/o JFB Management 410 N. Ridge Rd. Suite 100 Henrico, VA 23229

Ballato Law Firm 3721 Westerre Parkway Suite A Henrico, VA 23233

Bank of America Attn: Bankruptcy P.O. 982284 El Paso, TX 79998

Capital One Attn: Bankruptcy Po Box 30285 Salt Lake City, UT 84130

Capital One Auto Finance Attn: Bankruptcy Po Box 30285 Salt Lake City, UT 84130

Carmel Holding Co 10660 Argonne Dr. Glen Allen, VA 23060

Check Into Cash 3059 Mechanicsville Tnpk Richmond, VA 23223

City of Richmond Parking Tickets P.O. Box 26508 Richmond, VA 23261

City of Richmond 900 E Broad Street Room 109 Deliquent Taxes Richmond, VA 23219

CJW Medical Center PO Box 99400 Louisville, KY 40269 Continental Finance Company Attn: Bankruptcy Po Box 8099 Newark, DE 19714

Credit Acceptance 25505 W. Twelve Mile Rd Ste. 3000 Southfield, MI 48034

Emergency Coverage Corp. c/o ARS PO Box 8668 Coral Springs, FL 33075-8668

Express Lanes PO Box 28148 New York, NY 10087

First Premier Bank Attn: Bankruptcy Po Box 5524 Sioux Falls, SD 57117

Focused Recovery Solutions 9701-Metropolitan Ct Ste B North Chesterfield, VA 23236

Genesis Bc/celtic Bank Attn: Bankruptcy 268 South State Street Ste 300 Salt Lake City, UT 84111

Internal Revenue Service P.O. Box 7346 Philadelphia, PA 19101

Mariner Finance 13102 Midlothian Tnpk. Midlothian, VA 23113

Maryland Transportation Auth. PO Box 17600 Baltimore, MD 21297

NetCredit 175 W. Jackson Blvd., Suite 1000 Chicago, IL 60604

New York State Dept of Tax NYS Assesment Receivables P.O. Box 4127 Binghamton, NY 13902

NYC Housing Authority 250 Broadway, 9th Floor New York, NY 10007

PayPal PO Box 105658 Atlanta, GA 30348-5658

Paypal ATTN BANKRUPTCY Po Box 45950 Omaha, NE 68145

Plaza Services, Llc Attn: Bankruptcy 110 Hammond Dr. Ste 110 Atlanta, GA 30328

Professional Account Mgmt 386 Pickett St PO Box 22147 Alexandria, VA 22304

Radiology Assoc of Richmond PO Box 13343 Richmond, VA 23225

Receivables Management Systems PO Box 17305 Richmond, VA 23226

Shawn C. Tuthill c/o Liberty Homes Inc 8249 Crown Colony Parkway A Mechanicsville, VA 23116 Square Inc. 1455 Market St. Suite 600 San Francisco, CA 94103

The Port Authority PO Box 15183 Albany, NY 12212

Violations Processing Center EZ-Pass NY P.O. Box 15186 Albany, NY 12212

Virginia Dept. of Taxation P O Box 2156 Richmond, VA 23218

Wells Fargo Dealer Services Attn: Bankruptcy Po Box 19657 Irvine, CA 92623